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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/467,851

12/20/1999

BRUCE A. LEAK

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2863

22913

7590

07/08/2004

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EXAMINER

TRAN, HAI V

ART UNIT

PAPER NUMBER

2611

9

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/467,851

Applicant(s)

LEAK ET AL.

Examiner

Hai Tran

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04/26/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Terminal Disclaimer***

The terminal disclaimer filed on 04/22/2004 disclaiming the terminal portion of any patent granted on this application has been recorded.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-22 are rejected under 35 U.S.C. 102(e) as being unpatentable by  
Advanced Television Enhancement Forum Specification (ATVEF).

Claim 1, ATVEF discloses

a) and d) receiver units that receives both video information and triggers from a broadcast communication channel, some of the triggers being a first type (), others of the triggers being a second type (), the triggers of the first type and the triggers of the second type all having proper trigger syntax or value indicating that contents associated with is 1<sup>st</sup> or 2<sup>nd</sup> type so the receiver units could differentiate them as connected or disconnected content (ATVEF, section2.3, page 12);

b) "Rejecting the connected-content trigger with the trigger filter such that the 1<sup>st</sup> receiver unit ignores the connected-content trigger" reads on a browser and a trigger filter of each of the receiver units (i.e., 1<sup>st</sup> receiver) does not pass the triggers of the first type (type B) to the browser or ignoring the trigger the trigger if the trigger is of a first type (Type B) (ATVEF, section2.3, page 12).

c) "Executing the connected-content trigger on the 2<sup>nd</sup> receiver" reads on reads on a browser and a trigger filter of another receiver unit (i.e., 2<sup>nd</sup> receiver) passes the triggers of the second type (type A) to the browser and executing the trigger such that the trigger affects a display of information on a screen of the receiver unit if the trigger is of a second type (type A) (ATVEF, Section 2.3, page 12);

e) "Accepting the disconnected-content trigger with the trigger filter" and

f) "Executing the disconnected-content trigger on the 1<sup>st</sup> and the 2<sup>nd</sup> receiver units" read on a browser and a trigger filter of receiver units (i.e., 1<sup>st</sup> and 2<sup>nd</sup> receiver) passes the triggers of second type (type A) to the browser and executing the trigger such that the trigger affects a display of information on a screen of the receiver unit if the trigger is of a second type (ATVEF, Section 2.3, page 12);

Claim 2, "wherein disconnected content is content that does not require a bi-directional connection to a remote information store" reads on the ATVEF transport type B: broadcast data that does not require Internet connection (bi-directional; ATVEF page 11, sect. 22).

Claim 3, "wherein executing a connected-content trigger comprises at least one of establishing and maintaining a bi-directional connection to a remote information store" reads on the ATVEF transport type A: broadcast data that does require Internet connection with remote information store (ATVEF page 10, section 2.1).

Claim 4, "wherein rejecting a trigger comprises preventing a display of information associated with the trigger" reads on a browser and a trigger filter of each of the receiver units (i.e., 1<sup>st</sup> receiver) does not pass the triggers of the first type (type B) to the browser or ignoring the trigger the trigger if the trigger is of a first type (Type B) (ATVEF, section 2.3, page 12). In doing so, the information associated with the trigger is not displayed.

Claim 5, "wherein rejecting the connected-content trigger comprises storing at least a portion of the connected-content trigger" read on ATVEF's content caching page 9, section 1.1.7 I which the receiver caches partially total content delivered during the program.

Claim 6, "storing the disconnected content in a 1<sup>st</sup> and 2<sup>nd</sup> local memory on the respective 1<sup>st</sup> and 2<sup>nd</sup> receiver units" reads on ATVEF's content caching page 9, section 1.1.7 in which each receiver caches partially total content delivered on its own local cache during the program.

Claim 7, "wherein the storing occurs before (b)" is inherently met by ATVEF's "cache" function (ATVEF page 9, section 1.1.7).

Claim 8, "wherein the disconnected content comprises a plurality of linked web pages" reads on ATVEF section 2.2 transport type B: broadcast Data page 11, 3<sup>rd</sup> paragraph.

Claims 9 and 10, "displaying a 1<sup>st</sup> one of the web pages and then displaying a 2<sup>nd</sup> one/plurality of the web pages without establishing a bi-directional connection to a remote information store" reads on ATVEF section 2.2 transport type B: broadcast Data page 11-12.

Claim 11, steps g, h, and I reads on ATVEF's receiver that simultaneously supports of transport type A and B page 12, section 2.3 in which the receiver is configured as disclosed.

Claim 12, "wherein rejecting the connected-content trigger includes storing at least a portion of the connected-content trigger for execution at a later time" is further met by ATVEF appendix D, specifically page 27, start from 4<sup>th</sup> paragraph.

Claim 13, "wherein the later time is a specified time of a day" is further met by ATVEF page 7 with attribute value as time of the day.

Claim 14, "wherein the later time is an end of a delay period beginning upon receipt of the connected content trigger" reads an ATVEF's expires time attribute page 7.

Claims 15-17 are analyzed with respect to claims 1-14 in which receivers must be configured, updated and stored set of rules on the local memory as disclosed.

Claims 18-22 are analyzed with respect to claims 1-14 in which addition limitation of the 3<sup>rd</sup> receiver is further met by one of the plurality of receivers that ATVEF disclosed.


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is 703-308-7372. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HT: ht  
06/25/2004

  
VIVEK SRIVASTAVA  
PRIMARY EXAMINER